

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

NABIL BELAFKIH,

Petitioner,

Case No. 07-C-452

-vs-

**DEPARTMENT OF HOMELAND SECURITY (DHS),
SECRETARY MICHAEL CHERTOFF, BUREAU
OF IMMIGRATION AND CUSTOM ENFORCEMENT,
KENOSHA COUNTY DETENTION CENTER, SHERIFF
DAVID BETH,**

Respondent.

DECISION AND ORDER

On May 17, 2007, Nabil Belafkih (“Belafkih”) filed this action pursuant to 28 U.S.C. § 2241 challenging his removal period detention pending deportation to Morocco. According to the government’s response, Belafkih was deported on May 22, only five days after his petition was filed. (Document No. 7-2). Once an alien is deported, he is a “person over whom the United States exercises no control or responsibility, and who (as far as the government is concerned) is free to travel the world,” so long as his travels do not bring him back to the United States. *Samirah v. O’Connell*, 335 F.3d 545, 551 (7th Cir. 2003). Therefore, Belafkih is no longer in custody for purposes of § 2241.

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY
ORDERED THAT** Belafkih's petition is **DISMISSED** for lack of jurisdiction.

Dated at Milwaukee, Wisconsin, this 3rd day of July, 2007.

SO ORDERED,

s/ Rudolph T. Randa
HON. RUDOLPH T. RANDA
Chief Judge